

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:6256

ANSWERED ON:12.04.2017

Fast Track Courts

Pandey Shri Rajesh

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the working of Fast Track Courts dealing with rape cases are not upto the desired level;

(b) if so, the number of cases pending in these courts in each State as on date; and

(c) the number of courts set-up/designated for cases of crimes against women and special courts established under POCSO Act, 2012 for cases of crimes against children?

Answer

A N S W E R

MINISTER OF STATE FOR LAW AND JUSTICE AND
ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI P.P. CHAUDHARY)

(a) to (b): Setting up of the Subordinate Courts which include Fast Track Courts (FTCs)/Special Courts lies within the domain of the State Governments which in consultation with the High Courts may set up such courts. The Government of India proposed setting up of 1800 FTCs as a component of its Memorandum to the 14th Finance Commission to dispose of cases pertaining to heinous crimes including those of rape. The 14th Finance Commission while noting that the proposal of the Government was arrived at after an extensive consultation process with the States, endorsed the proposal of the Government for incurring Rs.4144 crore and setting up of additional 1800 FTCs for a period of five years (2015-20). The 14th FC further advised the State Governments to use the additional fiscal space provided by the Commission in the tax devolution to meet such requirements.

The Hon'ble Prime Minister vide his letter dated 23rd April, 2015 has urged the State Governments to allocate funds for the activities mentioned in the 14th FC recommendations from their State budget from 2015-16 onwards. This issue was also discussed in the Conferences of the Chief Ministers of the State Governments and Chief Justices of the High Courts held on 05th April, 2015 and 24th April, 2016 respectively wherein it was resolved to strengthen the existing coordination and monitoring mechanism between the State Government and the Judiciary for effective implementation of the recommendations of the 14th FC. The Minister of Law and Justice has further urged all the Chief Ministers of the States and Chief Justices of High Courts to implement the resolution of the Conference vide letters dated 03rd June, 2015 and 26th September, 2016.

The data in respect of number of cases pending in these FTCs in each State as on date is not maintained centrally. However, as per the information made available by the respective States, the number of cases pending in these FTCs which inter alia include cases of rape is annexed as Annexure-I.

(c): Section 28(1) of the Protection of Children from Sexual Offences Act, 2012 provides that for the purposes of providing a speedy trial, the State Government shall in consultation with the Chief Justice of the High Court, by notification in the Official Gazette, designate for each district, a Court of Session to be a Special Court to try the offences under the Act provided that if a Court of Session is notified as a Children's Court under the Commissions for Protection of Child Rights Act, 2005 or a Special Court designated for similar purposes under any other law for the time being in force, then, such court shall be deemed to be a Special Court under this section. As per these provisions, it is for the State Government to set up/designate the Special Courts. As per information available, number of Courts so set-up/designated for cases of crimes against women/crime against children under POCSO Act, 2012 is enclosed as Annexure-II.

ANNEXURE-I

STATEMENT REFERRED TO IN REPLY TO PARTS (a) & (b) OF THE LOK SABHA UNSTARRED QUESTION NO.6256 TO BE ANSWERED ON 12TH APRIL, 2017 REGARDING FAST TRACK COURTS.

S. No State Cases Pending as on

1 Andhra Pradesh 6778 as on March 31, 2016

2 Arunachal Pradesh -

3 Assam 5769 as on December, 12, 2015

4 Bihar -

5 Chhattisgarh 2966 13 on June 30, 2016

6 Delhi 658 as on July 31, 2016

7 Goa 2521 as on August 31, 2016

8 Gujarat -
 9 Haryana 1553 as on December 31, 105
 10 Himachal Pradesh -
 11 Jammu & Kashmir -
 12 Jharkhand 2200 as on December, 31, 2015
 13 Karnataka
 14 Kerala 3692 as on December, 31, 2015
 15 Madhya Pradesh -
 16 Maharashtra -
 17 Manipur -
 18 Meghalaya 202 as on January 31, 2011
 19 Mizoram -
 20 Nagaland -
 21 Odisha
 22 Punjab 1292 as on January 31, 2016
 23 Puducherry -
 24 Rajasthan
 25 Sikkim 4 as on March 31, 2016
 26 Tamil Nadu -
 27 Telangana 6602 as on March 31, 2016
 28 Tripura 1751 as on December 31, 2015
 29 Uttar Pradesh 41001 December 31, 2015
 30 Uttarakhand 161 as on May 31, 2016
 31 West Bengal 33510 as on July 31, 2016

Annexure-II

STATEMENT REFERRED TO IN REPLY TO PART (c) OF LOK SABHA UNSTARRED QUESTION NO.6256 TO BE ANSWERED ON 12TH APRIL, 2017 REGARDING FAST TRACK COURTS.

Special Courts set-up/designated for cases of crimes against women and for cases of crimes against children under POCSO Act, 2012

S.No. Name of the State/UT Number of Courts for cases of
 Crimes against women Crimes against children under POCSO Act, 2012

1 Andhra Pradesh/Telangana 24 23
 2 Arunachal Pradesh * 5
 3 Assam 3 27
 4 Bihar * 38
 5 Chhattisgarh 16 16
 6 Chandigarh 1 *
 7 Goa * 1
 8 Gujarat * 33
 9 Haryana 21 21
 10 Himachal Pradesh * 12
 11 Jammu & Kashmir 5 *
 12 Jharkhand 11 24
 13 Karnataka 10 30
 14 Kerala 1 14
 15 Maharashtra 27 33
 16 Meghalaya 1 4
 17 Manipur * 9
 18 Madhya Pradesh 50 50
 19 Mizoram * 2
 20 Nagaland * 11
 21 Odisha 30 30
 22 Punjab 20 22
 23 Rajasthan 9 33
 24 Sikkim 1 4
 25 Tamil Nadu 32 32
 26 Tripura 2 8
 27 Uttarakhand * 13
 28 Uttar Pradesh 80 75
 29 West Bengal 48 20
 30 Andaman & Nicobar * 1
 31 Chandigarh * 1
 32 Daman and Diu * *
 33 Delhi 6 11
 34 Dadar & Nagar Haveli * 1
 35 Lakshadweep * 1
 36 Pondicherry * *
 Total 398 605
 *Not available